

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

FRED O'NEILL, as conservator of SHERRY)
A. KERSKI,)

Plaintiff,)

Vs.)

Case No. 1:20-CV-00068-ACL

RIPLEY COUNTY, MISSOURI; WAYNE)
COUNTY, MISSOURI; MIKE BARTON;)
DEAN FINCH; CHARLES MAYS;)
JOEY BRUENER (sic); TYLER RASBERRY,)

Defendants.)

RELEASE AND SATISFACTION OF JUDGMENT
PURSUANT TO MO.REV.STAT §537.095.4 (3)

Plaintiff Fred O'Neill, as limited conservator of Sherry A. Kerski, and for and on behalf of Sherry A. Kerski, individually, as the mother of Destin Joseph Pallotta, deceased, and as an heir and beneficiary of Destin Joseph Pallotta, deceased (hereinafter referred to as "Plaintiff"), pursuant to Mo.Rev.Stat. §537.095.4 (3) and the Judgment and Order of the Court approving the settlement for the injuries to and death of Destin Joseph Pallotta, deceased with Defendant Ripley County, Missouri and Defendant Wayne County, Missouri and to distribute the Settlement Proceeds to the heir and beneficiary of Destin Joseph Pallotta, deceased, entered by the Court on November 19, 2021 hereby acknowledges and confirms payment of \$300,000.00 with the distribution of the Settlement Payment to be as follows:

a) The sum of \$166,813.93 to Plaintiff Fred O'Neill, as limited conservator for Sherry A. Kerski for and on behalf of Sherry A. Kerski, individually, as the natural mother of Destin Joseph Pallotta, deceased, and as an heir and beneficiary of Destin Joseph Pallotta, deceased, with

Defendant Wayne County, Missouri paying \$150,000.00 and Defendant Ripley County, Missouri paying \$16,813.93; and

b) The sum of \$133,186.07 for attorney fees and expenses with Defendant Ripley County, Missouri paying \$133,186.07 to Walsh Law Firm, LLC, with Walsh Law Firm, LLC agreeing to pay the attorney fees and expenses of Plaintiff's co-counsel Blanton, Nickell, Collins, Douglas, & Hanschen, LLC from this payment.


Plaintiff certifies that the above payments to the Plaintiff and his attorneys is the amount due in the Judgment rendered in this case on the 19th day of November, 2021 approving the settlement for the injuries to and death of Destin Joseph Pallotta, deceased which sum is received and accepted in full payment and satisfaction of the Judgment, with interest and cost, and in full payment and satisfaction of any and all attorney fees, expenses, costs, and claims in this case for the injuries to and death of Destin Joseph Pallotta, deceased, and in and to the proceeds of the Judgment the undersigned Plaintiff does hereby release, acquit and forever discharge Defendant Ripley County, Missouri, Defendant Wayne County, Missouri, and their past, present and future agents, servants, employees, employers, independent contractors, assigns, elected officials, appointed officials, county commissioners, county clerks, sheriffs, deputy sheriffs, correction officers, supervisors, attorneys, representatives, and all other persons, firms and corporations of and from all liability to and demand of the undersigned Plaintiff with respect to this cause and the Judgment entered herein.

This Release and Satisfaction of Judgment pursuant to Mo.Rev.Stat. §537.095.4 (3) shall be filed in the Office of the Clerk of the United States District Court for the Eastern District of Missouri, Southeastern Division, and the Clerk is hereby authorized and directed to enter this Release and Satisfaction of Judgment pursuant to Mo.Rev.Stat. §537.095.4 (3) on the Judgment

docket of this Court and to release and satisfy the Judgment of Record against Defendant Ripley County, Missouri and Defendant Wayne County, Missouri in the above-captioned cause.

Dated this 19 day of November, 2021.


Dated: 11-19-2021


FRED O'NEILL, AS LIMITED CONSERVATOR
OF SHERRY A. KERSKI, AND FOR AND ON
BEHALF OF SHERRY A. KERSKI,
INDIVIDUALLY, AS MOTHER OF DESTIN
JOSEPH PALLOTTA, DECEASED AND AS THE
HEIR AND BENEFICIARY OF DESTIN JOSEPH
PALLOTTA, DECEASED

STATE OF Missouri)
COUNTY OF Scott)

On this 19th day of November, 2021, before me personally appeared FRED O'NEILL, AS LIMITED CONSERVATOR OF SHERRY A. KERSKI, and for and on behalf of Sherry A. Kerski, individually, as the mother of Destin Joseph Pallotta, deceased, and as the heir and beneficiary of Destin Joseph Pallotta, deceased, to me known to be the person described herein, who executed this Release and Satisfaction of Judgment as the Limited Conservator of Sherry A. Kerski and for and on behalf of Sherry A. Kerski, individually, as the mother of Destin Joseph Pallotta, deceased, and as an heir and beneficiary of Destin Joseph Pallotta, deceased, and acknowledged that he fully understood the contents of this Release and Satisfaction of Judgment and freely executed the same for the sole consideration therein expressed and upon advice of his attorneys.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year first above written.


Sandra L. Nelson
Notary Public



Expires: 12-7-2024

Respectfully submitted,

WALSH LAW FIRM, LLC

By: /s/ Stephen E. Walsh

Stephen E. Walsh, #24992
WALSH LAW FIRM, LLC
635 North Main Street
Poplar Bluff, MO 63901
(573) 712 2909 Fax (573) 712 2912
swalsh@walsh-firm.com
Attorneys for Plaintiff

And

BLANTON, NICKELL, COLLINS, DOUGLAS
& HANSCHEN, LLC

By: /s/ Shaun D. Hanschen

Shaun D. Hanschen
219 South Kingshighway
Post Office Box 805
Sikeston, MO 63801
Phone: (573) 471-1000
Fax: (573) 471-1012
shanschen@blantonlaw.com
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the attorney whose name appears above signed the original of this pleading and that true and correct copy of the foregoing was filed with the Clerk of the Court to be served by the operation of the Court's electronic filing system and sent via First Class U.S. Mail this 23rd day of November, 2021 to:

SPRADLING & SPRADLING
A.M. Spradling, III, #23702
Spradling & Spradling
1838 Broadway, P.O. Drawer 1119
Cape Girardeau, MO 63702-1119
Phone: (573)335-8296
Fax: (573) 335-8525
spradlaw@spradlaw3.com
Attorneys for Defendant Wayne County, Missouri

And

PAULE, CAMAZINE & BLUMENTHAL, P.C.
D. Keith Henson, #31988
165 North Meramec Ave., Suite 110
Clayton (St. Louis), MO 63105
Telephone: (314) 727-2266
Facsimile: (314) 727-2101
khenson@pcblawfirm.com
Attorney for Defendant Ripley County, Missouri